

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
AT ELKINS

FILED
OCT 29 2007
U.S. DISTRICT COURT
ELKINS WV 26241

NITA ADAMS,

Plaintiff,

v.

Case No. 2:06-CV-109

FOXWATER, INC., a West Virginia Corporation,
and THE WHISTLEPUNK COMPANY, INC., a
West Virginia Corporation,

Defendants.

ORDER

Upon mature consideration of the Stipulation entered into among counsel of record in the above-styled civil action, it is hereby ORDERED that the Scheduling Order entered on April 9, 2007 shall be amended in accordance with the Stipulation and as follows:

1. All discovery shall be fully served and completed by February 1, 2008. "Completed" means that all objections, motions to compel and all other motions and replies relating to discovery in this civil action must be filed in time for the parties objecting or responding to have the opportunity under the Federal Rules of Civil Procedure to make responses. The term "all discovery" in the preceding definition includes the disclosures required by Rules 26(a)(1), (2), and (5), but does not include the disclosures required by Rule 26(a)(3).

Parties have a continuing obligation to supplement their responses beyond the discovery cut-off date as provided in Rule 26(e) of the Federal Rules of Civil Procedure. The parties should also refer to Rules 26.01-26.04, 33.01, 34.01, 36.01, and 37.01-37.02 of the Local Rules of Civil Procedure for further instructions on discovery practice.

2. All dispositive motions, as well as deposition transcripts, admissions, documents, affidavits, and any other such matters in support thereof, shall be filed on or before February 15, 2008. Responses and replies shall be due pursuant to the Local Rules of Civil Procedure. A dispositive motion unsupported by a memorandum of law will be denied without prejudice. Local Rule of Civil Procedure 7.02 governs the length of memoranda of law.

Enter: October 29, 2007

Robert Maxwell
JUDGE